

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**MICHAEL SCOTT ALLEN,**

**Plaintiff,**

**v.**

**No. CIV 16-0539 LF/LAM**

**EQUINOX COLLECTION SERVICES, Inc.,**

**Defendant.**

**ORDER TO SHOW CAUSE**

**THIS MATTER** is before the Court *sua sponte*. Plaintiff filed his Complaint in this case on June 8, 2016. [*Doc. 1*]. While the docket reflects that a summons was issued as to Defendant on June 9, 2016, Defendant has not filed an answer. Under the Local Rules of this Court, “[a] civil action may be dismissed if, for a period of ninety (90) days, no steps are taken to move the case forward.” D.N.M. LR-Civ. 41.1. In addition, Federal Rule of Civil Procedure 4(m) provides in part that “[i]f a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”

**IT IS THEREFORE ORDERED** that, **within thirty (30) days of the entry of this Order**, this case will be dismissed without prejudice unless Plaintiff either effects service or provides the Court with a written explanation showing good cause why service has not been made.

**IT IS SO ORDERED.**

  
**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**